



## UNITED STATES DEPARTMENT OF COMMERCE

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EXAMINER

TOLIN, G

E1M1/1221  
DENNISON, MESEROLE, POLLACK & SCHEINER  
CRYSTAL SQUARE 4, STE. 612  
1745 JEFFERSON DAVIS HWY.  
ARLINGTON, VA 22202

ART UNIT

PAPER NUMBER

3

2103

DATE MAILED:

12/21/93

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined  Responsive to communication filed on 9/9/93  This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

## Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1.  Notice of References Cited by Examiner, PTO-892.
2.  Notice of Draftsman's Patent Drawing Review, PTO-948.
3.  Notice of Art Cited by Applicant, PTO-1449.
4.  Notice of Informal Patent Application, PTO-152.
5.  Information on How to Effect Drawing Changes, PTO-1474.
6.

## Part II SUMMARY OF ACTION

1.  Claims 1-7 are pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2.  Claims \_\_\_\_\_ have been cancelled.

3.  Claims \_\_\_\_\_ are allowed.

4.  Claims 1-7 are rejected.

5.  Claims \_\_\_\_\_ are objected to.

6.  Claims \_\_\_\_\_ are subject to restriction or election requirement.

7.  This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8.  Formal drawings are required in response to this Office action.

9.  The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are  acceptable;  not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10.  The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been  approved by the examiner;  disapproved by the examiner (see explanation).

11.  The proposed drawing correction, filed \_\_\_\_\_, has been  approved;  disapproved (see explanation).

12.  Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has  been received  not been received  been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.

13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14.  Other

## EXAMINER'S ACTION

Art Unit 2103

1. The amendment to claim 5 is not made since there was no claim 5.

The claims are re-numbered as 1-7.

2. The following is a quotation of the first paragraph of 35 U.S.C. § 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to provide an adequate written description of the invention. On page 10, "8" and "14" do not as stated, appear in figure 4. Such should be corrected. Beware of new matter.

3. Claims 1-7 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification.

4. Claims 1-7 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1 line 4, "in association with" is so broad as to obscure the invention. "Supported by", "mounted on", etc, are examples of language that would physically assemble the parts, at least broadly. Also, the last paragraph of claim 1

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recites a method step. How formed obscures the article and is not relevant thereto. A positive structural recitation is suggested.

5. Art is not applied to the claims at ~~the~~<sup>this</sup> time.

6. Any relevant prior art applicant may be aware of should be sent in with form 1449. Since ~~sent in with~~<sup>not an FWC, any art from</sup> the parent file would be appreciated.

7. Copending serial number 927730 - the status should be updated and the claims distinguished from those herein. Also, is this a continuation or C-I-P of S.N. 927730? A different invention (with electronics) is set forth.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner G. Tolin whose telephone number is (703) 308-3114.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1782.



Tolin/ss  
December 17, 1993

GERALD P. TOLIN  
SENIOR EXAMINER  
ART UNIT 214